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Army blocked ex-Nazi's trial, U.S. study says

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Washington — For at least 21 years, the U.S. Army illegally prevented the war crimes trial of ex-Nazi Gestapo officer Klaus Barbie by hiding him in Germany and then arranging his escape to live secretly in Bolivia, a high-level government investigation has concluded.

Expelled from Bolivia last February, Barbie now is in France awaiting trial for "crimes against humanity."

Known as "the butcher of Lyon" for alleged atrocities against French civilians during World War II, Barbie was used as a U.S. spy for nearly four years in postwar Germany, the report revealed.

At the time, the report said, the Army knew of his Gestapo role but had no information that he had been engaged in torture or forced evacuation of civilians to Nazi death camps.

The massive report on Barbie's ties to the U.S. government was made public yesterday by special Justice Department investigator Allan L. Ryan Jr.

It took no position on Barbie's guilt, although it said he "has never been in the same category as Adolf Eichmann, Heinrich Himmler, Reinhard Heydrich or other Gestapo leaders."

Asked how high in the U.S. government the full story was known before the investigation, Mr. Ryan said that he had "no indication that it went any higher" than Brig. Gen. Robert K. Taylor, who directed intelligence for the U.S. military command in occupied Germany. He said that the information may not have gone any higher than the colonels and majors who ran the Army's intelligence unit in the U.S. zone of Germany and who arranged Barbie's escape.

Overall, Mr. Ryan said, only "five or six officers, give or take one or two," knew of the concealment throughout the more than two decades that it was allowed to continue.

The report did conclude that U.S. Army officers committed the crime of "obstruction of justice" by delaying the war-crimes case by repeatedly acting to conceal Barbie, who had gathered intelligence for the United States while World War II's victorious Allies occupied Germany.

The report said the officers feared embarrassment over having used a former Gestapo officer and also were concerned that Barbie would reveal intelligence sources and methods.

No one can be prosecuted for the Army's delays, however, because the five-year deadline for prosecution has passed, he said.

Because he found that the U.S. government ultimately was responsible for the Army's actions, Mr. Ryan urged that a formal apology be made to France.

"This is a matter of decency, and of honorable conduct," he declared. "It should be, I believe, the final chapter by the United States in this case."

That apology was made Friday, when the State Department delivered "a formal note of regret" to the French Embassy here, he reported.

His report came after an investigation lasting almost six months. The probe was launched after Barbie was thrown out of Bolivia, where he had been living for 32 years under the name of Klaus Altmann.

Soon after Barbie's arrival in France, charges were made in this country and France that he had been a U.S. spy after the war and that the United States had helped him escape to South America in 1951.

The report confirmed those charges and found that the official U.S. concealment of Barbie's background and the escape had continued even after his true identity was uncovered in 1972 by a French war-crimes investigator, Beate Klarsfeld, leading the French to demand his return for prosecution.

Mr. Ryan concluded that any U.S. crimes for concealing the details about Barbie ended with the 1972 disclosure by Mrs. Klarsfeld, even though the first full revelation by the U.S. government itself did not come until the Ryan report itself.

At no time between the end of World War II in 1945 and the present did the Central Intelligence Agency or its predecessor agencies have "any relationship" with Barbie, the report concluded.

The report, however, did disclose that the Army, learning in 1966 that Barbie might still be living in Bolivia, suggested that he might be "reactivated" as a spy in a new intelligence operation it was setting up in South America. The CIA discouraged that, partly because he was then wanted for war crimes, Mr. Ryan found.

The report's main criticism was leveled at the Army's activities in hiding Barbie in Germany and then spiriting him off to South America when it became clear that he might be discovered and turned over for prosecution in France.

In May, 1949, after Barbie had been working as a U.S. spy for two years, Army intelligence officers in Europe got word from a Paris newspaper story that Barbie might have committed atrocities in Lyon.

Mr. Ryan found that Army officers regarded the charges as probably untrue, and in any event, did not want to lose his services.

In the following spring, evidence at the trial of former Resistance leader Rene Hardy on charges of collaborating with Barbie and the Gestapo led Army authorities in Germany to conclude that the French might demand that Barbie be turned over for prosecution.

They decided, according to Mr. Ryan, that they would not cooperate with any effort to force him to surrender, and told their superiors in the military and civilian commands that they had no contact with Barbie. They reported in the fall of 1950 that Barbie was no longer under their control. They then set about arranging his escape through Italy.